



Town of Groton, Connecticut

Meeting Minutes

Town Council Committee of the Whole

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Mayor Harry A. Watson, Councilors Peter J. Bartinik, Jr., Natalie Burfoot Billing, Heather Sherman Bond, Catherine Kolnaski, Frank O'Beirne, Jr., Paulann H. Sheets, Thomas J. Skrmetti, and Elissa T. Wright.

Tuesday, February 24, 2004

7:00 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

1. CALL TO ORDER

Mayor Watson called the meeting to order at 7:05 p.m.

2. ROLL CALL

Members Present: Mayor Watson, Councilor Bartinik, Jr., Councilor Billing, Councilor Bond, Councilor Kolnaski, Councilor O'Beirne, Jr., Councilor Sheets, Councilor Skrmetti and Councilor Wright

Also present were Town Manager Mark Oefinger, Assistant to the Town Manager Lee Vincent and Executive Assistant Nicki Bresnayan.

3. Calendar and Communications

Mayor Watson attended a COG meeting last week where the topic of discussion was the disposition of the State property in Preston. The Navy housing privatization contractor has been selected and an announcement will be made shortly. A National Guard Reservist group will be returning to Groton this Saturday at an unspecified time. The Mayor indicated that Councilors are welcome to attend, but they should let the Town Manager's Office know first. Mayor Watson gave the Town Manager all of the suggested goals generated by individual Councilors for categorization.

Councilor O'Beirne requested a referral to the Committee of the Whole for a meeting with the Board of Education concerning the location of polling places for the November election. The Town Manager distributed a letter that was sent to the Registrar of Voters by Dr. Mitchell.

Councilor Sheets expressed support for doing something on Saturday for returning National Guardsmen. Mayor Watson indicated he would discuss ideas with the Town Manager. Councilor Kolnaski suggested the Council prepare a proclamation.

Mayor Watson stated that at the next COG meeting, he will suggest that a regional school schedule be developed.

4. Approval of Minutes

2004-0071 Approval of Minutes (Committee of the Whole)

RESOLUTION ACCEPTING COMMITTEE OF THE WHOLE MINUTES

RESOLVED, that the minutes of the Town Council Committee of the Whole of February 10, 2004 are hereby accepted and approved.

A motion was made by Councilor Bartinik, Jr., seconded by Councilor Billing, to adopt as modified.

The motion carried unanimously.

Councilor O'Beirne left the meeting at 7:17 p.m.

Members Present: Mayor Watson, Councilor Bartinik, Jr., Councilor Billing, Councilor Bond, Councilor Kolnaski, Councilor Sheets, Councilor Skrmetti and Councilor Wright

Members Absent: Councilor O'Beirne, Jr.

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS**2003-0247 FYE 2005 Budget Guidelines****Discussed**

City Mayor Dennis Popp and Finance Director Tony Timpano were present to discuss the budget. Mayor Popp asked for this meeting as a result of last year's budget difficulties. He noted that he has received no formal guidelines for the budget, which is due to the Town Manager in a few days. The City Police and Highway Department have submitted their budget requests to Mayor Popp. The Police budget includes funding for four vehicles, an additional police officer and a dispatcher. All other increases are personnel related, or associated with the City's contribution to the pension fund or medical insurance increases. There are no new expenditures on the Highway side. Mayor Popp stated that the budget represents a 2.5% to 3% decrease over last year's budget. He noted that the Highway budget is 20% lower than in 1989 and contains 7 people fewer. The Police Department budget has increased only 10% from 1994 to 2003.

Mayor Popp explained that he stopped the highway budget arbitration last year with the understanding that this type of dialog would take place to prevent arbitrary reductions in the City budget. The City has never asked the Town for supplemental budget appropriations.

Councilor Bartinik asked if the proposed budget decrease will decrease services and Mayor Popp stated no. Councilor Bartinik asked if the City has made any attempt to prioritize services in case there is a budgetary need to stop services. Mayor Popp stated that the services provided by the City are what the residents deserve and expect. The City does not offer any non-essential services. There are small services provided such as putting out sand boxes, but the cost is minimal. Mayor Popp noted that there are down sides to reducing maintenance costs.

Councilor Bartinik feels the cost per capita of police services in the Town of Groton compared to other towns is high. Mayor Popp suggested that we compare our police services to places like New London and Norwich, which are facing similar issues. He explained that there are special needs in Groton that other communities don't have such as summer crowds in downtown Mystic, traffic from Pfizer and Electric Boat, and pockets of populations that need to be patrolled more often.

Councilor Bond asked about the Drug Task Force. Mayor Popp explained that the City shares officers with the Town, in accordance with a signed agreement, for the joint effort. Councilor Bond asked about the funding of cars and the process for obtaining them. Mayor Popp explained the process for purchasing and disposing of fleet vehicles.

Councilor Skrmetti stated the proposed decrease in the City's budget is responsive to the current need and he expressed appreciation for the effort.

Councilor Wright asked when the Town started making the voluntary contribution to the City Police budget. Mayor Watson explained that it started in the 1930s and has always been 50%. Mayor Popp noted that the Town's contribution funds 15½ officers, and the City is operating with the minimum number of officers.

Mayor Popp noted the Police budget also includes a pay increase for crossing guards (to bring them up to the same rate of pay as those in the Town) and a small amount for unemployment compensation.

Councilor Billing stated she would be comparing services in the Town and City, and if there is a

service that is not provided in the Town, she will have a hard time funding it for the City. Mayor Popp stated the Town and City provide equal services.

Mayor Watson asked if the City has bike patrols and Mayor Popp stated yes. With respect to crossing guards, Mayor Popp explained that there are special traffic officers for heavily trafficked areas.

Discussion then followed on including City roads in the ranking for the pavement management system and Mayor Popp assured the Council that he philosophically agrees with that procedure. So far, there are no projects in the City proposed in this year's CIP.

Councilor Billing asked that the Mayor's budget narrative include the costs to operate the Police and Highway departments. Councilor Bond said it would be helpful to her to see a 5% decrease scenario, with a ranking of what would have to be cut. Councilor Wright suggested that to cut 5% from a budget that has essentially stayed the same is different than cutting 5% from the Town's budget, which has grown at a greater rate.

Councilor Bartinik stated he would be looking for larger cuts, although the City's effort is commendable. He noted there are other costs out of the Town's control that are rising rapidly. The Town must change its philosophy and think in terms of what services it can do without. Mayor Popp noted that the public must consider service levels as well as tax increases. Public Safety and Public Works are two budgets that are measured by level of service. There are some "Cadillac" services around the Town, but the fire districts provide them for residents who are willing to pay a little bit more. The Town Council can look at essential services, but they must also consider the ramifications of budget cuts. The Town needs to protect its investments.

Councilor Kolnaski asked Mayor Popp to include the special state act concerning the Highway Department budget in his submittal for the benefit of new Councilors and RTM members.

Mayor Watson thanked Mayor Popp and Mr. Timpano for coming.

Ed Bogdan introduced John Burbank (Director of Public Safety) and David Bryant (Director of Public Works). Mr. Bogdan expressed a willingness to cut the Groton Long Point budget to keep the taxes down. Mr. Bryant noted that the roads in Groton Long Point are maintained through outsourcing at a cost of \$13,000 per mile versus \$28,000 per mile for the Town. There are no employees or capital equipment in the Highway budget. Groton Long Point utilizes a competitive bid process. From a capital improvement standpoint, Groton Long Point expends \$6,000 per year versus \$10,000 per year for the Town, based on last year's CIP.

The highway budget has increased an average of 2.7% over the last ten years. Groton Long Point reviewed the Town's pavement management plan, but felt it was too expensive, so they hired an independent consultant who estimated a capital maintenance figure of \$80,000 per year. Groton Long Point intends to submit a budget using that amount.

Councilor Billing asked for the highway budget information in writing. She reiterated the comment she made to Mayor Popp, noting that she will compare tasks that the Town is able to afford with those funded in Groton Long Point's budget.

The Groton Long Point Police Department was started in 1927 in Groton Long Point, and it performs many functions beyond the scope of the Town's Police Department. Mr. Burbank stated that Groton Long Point residents pay, and will continue to pay, for extra services. The patrols keep crime at a low level despite the huge influx of summer residents and high number of unoccupied homes in the winter. Groton Long Point police officers have medical training since it can take upwards of 20 minutes for ambulance response. Mr. Burbank noted that there are a

number of homes in Groton Long Point, closely situated, that do not meet fire codes. There is a mutual aid system in place that works well. Groton Long Point has no desire to compromise residents' safety. Patrols of the area will cost money whether the Town or Groton Long Point does them. The Town and Groton Long Point seem to disagree about the cost to provide those patrols. Mr. Burbank stated that Groton Long Point previously agreed to participate in a Town-wide study of police services, but that study has not taken place.

Councilor Skrmetti stated that if Groton Long Point is a private association, it does not need a private police force, which means he will vote against the budget until the issue is resolved. Councilor Skrmetti expressed concern with the Town funding a private police force.

Mr. Burbank stated the Town is funding 2 to 2½ officers, but those officers are available to back up the Town's force. Councilor Skrmetti suggested that there is a major difference in the level of training between Groton Long Point police officers and the Town's force. Mr. Burbank stated that the basic qualifications and training are the same for any sworn officer in Connecticut.

Councilor Bond agreed that there is not a clear definition of Groton Long Point. She would support continuing to fund the Groton Long Point Police Department, but she encouraged them to look at the cuts the Town is making. Councilor Bond also suggested that the Council look at the cost of the Town providing police service to Groton Long Point.

Councilor Billing noted a general budget guideline was a zero dollar increase. She questioned whether or not the Town could provide the service for less. Mr. Bogdan provided copies of reports from Chief David Vanasse and a consultant, C. Francis Driscoll.

2004-0073**Explanatory Text for April Referendum****RESOLUTION AUTHORIZING PREPARATION OF EXPLANATORY TEXT****Recommended for a Resolution**

Town Clerk Barbara Tarbox stated this referral is to authorize the Town Clerk to prepare the explanatory text for the April referendum.

A motion was made by Councilor Bond, seconded by Councilor Skrmetti, to recommend for resolution authorization of preparation of explanatory text for the April referendum.

The Town Clerk distributed the explanatory text for the last referendum and noted that the text for the new referendum will be similar. Councilor Billing suggested keeping it simple. Mayor Watson questioned the cost of the explanatory text. Ms. Tarbox stated it was approximately \$7,500.00 for printing and mailing last time. Councilor Sheets asked that the text include a depiction of the voting levers.

The motion carried unanimously.

Discussed

Councilor Billing asked about the Town Attorney's opinion concerning the Council's authority to decide on a school's location. The Town Manager has spoken to the bond attorney, Ted See, who concurs with the Manager that there is a role for everyone to play in the process. The Town Council decides what goes to referendum, but if state grant money is being requested, then that is the Board of Education's purview. There is an expectation at the state level that the major entities involved will be on the same page.

2004-0057**Adoption of Rules for Twenty-Fourth Town Council****Recommended for a Resolution**

A motion was made by Councilor Skrmetti, seconded by Councilor Kolnaski, to recommend for resolution adoption of the rules for the twenty-fourth Town Council, as amended.

Councilor Sheets asked why the response to citizens' petitions (Rule 14c) is proposed for deletion.

Assistant to the Town Manager Lee Vincent noted that the Committee discussed this item at length, including what form a response should take. It was felt that very few citizens' petitions result in a referral and given the timing of the referral, there is no particular point in the process when a member of the public could be properly notified. Councilor Billing noted that although the requirement to respond is currently in the Rules, it is not happening and there is no procedure in place to make it happen. Citizens' petitions can be acknowledged in any way the Councilors feel appropriate and the Committee was attempting to make the Rules consistent with current practice.

Councilor Wright feels the Council should move in the direction of greater acknowledgement of the public, not less, and the Council should establish a policy. She urged restoration of the rule and continuation of efforts to develop a system.

A motion was made by Councilor Sheets, seconded by Councilor Wright, to amend the motion to restore Rule 14c.

The motion to amend failed by the following vote:

In Favor: 3 - Councilor Bond, Councilor Sheets, Councilor Wright

Opposed: 5 - Councilor Bartinik, Jr., Councilor Billing, Councilor Kolnaski, Councilor Skrmetti, Mayor Watson

Councilor Wright stated she had suggested an amendment to the freestanding paragraph in Rule 3 to delete the language and substitute other language which would allow Councilors to put new referrals on the Town Council agenda with 48 hours notice. She explained the rationale for her suggestion. Councilor Kolnaski expressed concern that the public and Council would not know about subjects until they appeared on an agenda. Mayor Watson noted that the Council can suspend the rules if they want to discuss an item not on the agenda. Councilor Wright looked at nine other towns with the Council/Manager form of government, and they all have this provision.

Councilor Billing objects to the need for Committee "approval" to bring a referral to the Council. She feels that the Committee should make a recommendation, but the referral should come back to the Council for action.

Mayor Watson reminded Councilors that minutes from committee meetings are read at the Town Council meetings. If there is a particular concern, any Councilor can bring an item up for discussion. Councilor Kolnaski noted the Council also reviews the deletion list.

Councilor Wright feels that all matters should originate in the Town Council setting and be referred to Committee as appropriate.

A motion was made by Councilor Wright, seconded by Councilor Sheets, to amend the motion to delete the following language from Rule 3: "Only items reported from a Committee with approval recommended by the majority of the committee members present shall appear on the agenda", and substitute "The Mayor in cooperation with the Town Manager shall prepare an agenda for each regular meeting. Any Councilor may place an item or items on the agenda within 48 hours prior to the posting of the agenda."

The motion to amend failed by the following vote:

In Favor: 2 - Councilor Sheets, Councilor Wright

Opposed: 6 - Councilor Bond, Councilor Bartinik, Jr., Councilor Billing, Councilor Kolnaski, Councilor Skrmetti, Mayor Watson

Councilor Billing asked everyone to consider that the rules are not clear for new members. Councilor Billing stated her willingness to write down inconsistencies and submit them to the Rules Committee.

The motion carried unanimously.

2003-0121

Allyn/Bohlander Building/Update

ALLYN/BOHLANDER BUILDING/UPDATE

Discussed

Town Manager Oefinger noted the additional information provided by staff with respect to this project and a letter from George Pavarini. This is a policy decision of the Council. There is nothing at the staff level that raises any concerns that would prevent this arrangement from happening. All staff concerns can be addressed through terms and conditions.

George Pavarini reiterated that he is looking for two concessions from the Town: seven dedicated parking spaces and placement of a buried propane tank near the property line with a restriction on construction within 10' of the tank. Mr. Pavarini assured the Committee that he can work out all of the issues raised by staff. The requested parking area requires improvements and Mr. Pavarini assumes he will make them and the condominium association will maintain and insure the lot. Mr. Pavarini is looking for a long-term lease for a nominal fee under those arrangements.

Councilor Billing expressed concern with the specific terms of the request, specifically the \$1 per year for the lease. Councilor Skrmetti noted there are other benefits to the Town such as streetscape improvements and maintenance, which are not apparent in Mr. Pavarini's letter and it is more equitable than it appears.

Councilor Sheets expressed support for the project, but concern for the loss of parking. She asked about similar proposals in the past. The Town Manager stated he is not aware of any previous requests to formally use this area for parking. With respect to the project, Mr. Allyn was encouraged from the beginning to consider the pump station property from a design standpoint. Mr. Pavarini reviewed the property lines, and the proposed location for the fuel tank.

Mr. Pavarini has commitments for purchase of the retail spaces, with two or three existing businesses intending to relocate there. Councilor Bond expressed concern for the loss of parking and the \$1 lease that she feels is unreasonable. Mr. Pavarini explained that prices in downtown Mystic range from \$100 to \$300 a year to lease a parking space, which is far less than his cost to improve the seven spaces requested.

Councilor Bartnik noted the public access is a great benefit to the Town. The Town Manager reminded the Council that the improvements to the pump station site are being done in association with the Mystic Streetscape Project. Mr. Pavarini is improving only a portion of the parking area. Approximately seven to nine cars park in that area now. Additional improvements proposed by Mr. Pavarini include paving and installation of a dumpster enclosure. Improvements to the pump station site associated with the Mystic Streetscape Project have not been finalized at this time.

Mr. Pavarini estimates his cost to improve the area will be \$20,000 to \$30,000, not including ongoing maintenance and insurance. Councilor Skrmetti suggested that it is not unreasonable to ask that the landscaping be installed and maintained by the Condominium Association.

Councilor Wright stated there is concern with the scarcity of public parking in downtown Mystic. She asked for an estimate of the project's impact on the Town tax base, and Mr. Pavarini stated he would provide a calculation. There is no revenue being generated by the parking lot at this time.

Director of Public Works Gary Schneider explained that any major equipment replacement at the pump station would take place through the roof with a crane in the parking lot. Mr. Schneider explained the process that would be used for a major repair. There are no plans to replace this pump station and it is appropriately sized.

Discussion followed on various concerns including the \$1 lease. Mr. Pavarini stated that the "deal breakers" for him are any additional site improvements or an increase in the cost of the lease because the deal is marginal financially. Mr. Pavarini also needs to know that the propane tank can be located where he has proposed it.

A motion was made by Councilor Sheets, seconded by Councilor Skrmetti, to recommend a resolution authorizing the Town Manager to negotiate a lease of at least 20 years with Mr. Pavarini that incorporates the elements of Mr. Pavarini's letter dated February 17, 2004, and in addition, his commitment stated here on the record to agree to the technical requirements and easements necessary for the Town to repair and have access to the pump station, and to report back with that lease to the Town Council at the earliest time possible.

The motion carried unanimously.

Councilor Wright left at 10:02 p.m.

Members Present: Mayor Watson, Councilor Bartinik, Jr., Councilor Billing, Councilor Bond, Councilor Kolnaski, Councilor Sheets and Councilor Skrmetti

Members Absent: Councilor O'Beirne, Jr. and Councilor Wright

2004-0075

Elimination of Pumpout Services for Mouse Island

ELIMINATION OF PUMPOUT SERVICES FOR MOUSE ISLAND

Recommended for a Resolution

Director of Public Works Gary Schneider provided a brief history, noting that his Department was directed by the previous Town Manager to provide pump out service for three residences on Mouse Island. This is a dangerous operation and it significantly impacts employees' schedules. Due to staff reductions and the need to focus on core responsibilities, Public Works would like to eliminate this service. Mr. Schneider reviewed options available to the residents. Costs to the department are approximately \$1000 and 50 hours of staff time. The boat used is a back up boat for the Mystic River pump out boat and it is also used by Parks and Recreation for their programs.

The Town Manager noted that this is not so much a budget issue, but an issue of whether or not it is an appropriate service for the Town to provide. Mayor Watson noted that eliminating the service may cause Palmers Cove to be closed to shellfishing, depending on the alternative the homeowners choose.

A motion was made by Councilor Kolnaski, seconded by Councilor Skrmetti, to recommend a resolution authorizing elimination of the pumpout services for Mouse Island.

The motion carried unanimously.

Councilors Bond and Skrmetti left the meeting at 10:18 p.m.

Members Present: Mayor Watson, Councilor Bartinik, Jr., Councilor Billing, Councilor Kolnaski and Councilor Sheets

Members Absent: Councilor Bond, Councilor O'Beirne, Jr., Councilor Skrmetti and Councilor Wright

2004-0074

Steamboat Wharf Dredging

STEAMBOAT WHARF DREDGING

Discussed

The Town Manager provided a history of this issue and past efforts to dredge the lagoon near Steamboat Wharf Condominiums. The parties involved worked to identify a permanent solution, and decided on annual maintenance dredging at the outlets using the Town's vac truck. DEP has issued a permit, but the work must be done by April 1. Outstanding issues are disposal location and cost since the Bulky Waste Landfill on Welles Road has been closed.

A motion was made by Councilor Sheets, seconded by Councilor Bartinik, Jr., that this matter be Recommended for a Resolution .

to authorize the Public Works Department to carry out maintenance dredging at Steamboat Wharf pursuant to the permit issued by DEP

The motion carried unanimously.

Discussed

Councilor Billing asked for follow up information on the project when available.

2004-0011 Legislative Policy (2004 Standing Referral)

Not Discussed

7. Consideration of Committee Referral Items as per Town Council Referral List

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

A motion was made by Councilor Sheets, seconded by Councilor Billing, to adjourn at 10:27 p.m.

The motion carried unanimously.